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April 13, 2018

Via ECF

Hon. Valerie E. Caproni
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *U.S. v. Percoco, et al.* (Case No. 16-cr-00776-VEC)

Dear Judge Caproni:

We represent Defendant Alain Kaloyeros in the above-referenced matter. We write on behalf of the Defendants in the June trial (Alain Kaloyeros, Louis Ciminelli, Kevin Schuler, Michael Laipple, Steven Aiello, and Joseph Gerardi, collectively the “June Defendants”) to respectfully request that the Court extend the deadline for motions *in limine* from April 18, 2018 to April 25, 2018, with responses remaining due on May 18, 2018. We have consulted with the Government and the Government consents to this requested extension. This is the second request to extend this deadline. The Government previously requested and the Court so-ordered the current schedule on March 12, 2018. *See* ECF No. 525.

The June Defendants also respectfully request that the Court consider holding the upcoming trial in a larger courtroom. As the Court is aware, the June trial includes two additional defense teams and will likely attract significant numbers of spectators and members of the media. Given the “tight fit” of the January trial, we believe a larger courtroom would make for a more efficient trial and avoid delays caused by logistical issues. It might also eliminate the need for an overflow room and disputes over seating for spectators. We would be pleased to work with the Court’s facilities team and District Executive’s office to facilitate this request. The Government takes no position on this request.

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We thank the Court for its attention to this matter and are pleased to provide any additional information that the Court may need.

Respectfully submitted,



Michael C. Miller

cc: All Counsel (via ECF)

Application GRANTED. The Court shares the Defendants' concern as to the "tight fit" in Courtroom 443 and has already reserved a larger courtroom, Courtroom 318, for the duration of the trial.

SO ORDERED.



HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

4/16/2018